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Message Text

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ACTION NEA-10

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E.O. 11652: N/A
TAGS: CASC, PFOR, IN
SUBJ: HARCOS/FLETCHER

FOLLOWING TEL CALCUTTA 1414 DTD 25 JUNE REPEATED YOU:

QUOTE

E.O. 11652: N/A
TAGS: CASC PFOR IN
SUBJECT: HARCOS/FLETCHER

1. CONOFF CALLED ON ADVOCATES DATTA AND DUDHWEWALA (LAWYERS FOR HARCOS AND FLETCHER) ON JUNE 24 TO DETERMINE STATUS OF LEGAL PROCEEDINGS WITH REGARD TO THEIR CLIENTS.

2. DATTA SAID THAT A HEARING IS SCHEDULED FOR JULY 1 IN CALCUTTA HIGH COURT. THIS IS TO DECIDE WHETHER THE PUBLIC PROSECUTORS PETITION TO TRANSFER THIS CASE FROM JUDGE CHAUDHURI TO ANOTHER JUDGE WILL BE GRANTED. DATTA COMMENTED THAT HE COULD NOT OBJECT TO THE CASE BEING TRANSFERRED AS THAT WOULD IMPLY THAT HE HAD CONFIDENCE ONLY IN JUDGE CHAUDHURI. IN FACT THIS IS TRUE, DATTA SAID, BECAUSE MOST OF THE OTHER JUDGES WERE AFRAID OF THE SPECIAL BRANCH, BUT IT IS NOT SOMETHING HE WANTED TO SAY PUBLICLY. DATTA SAID HE WOULD POINT OUT THE LAPSE IN TIME
BETWEEN FORMER CONSUL GENERAL PICKERING MEETING WITH JUDGE CHAUDHURI IN OPEN COURT, WITH THE PUBLIC PROSECUTOR PRESENT (SEE
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CALCUTTA 1609), AND THE FILING OF THE PETITION FOR TRANSFER. DATTA

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FELT THAT THIS WOULD NOT BE DECIDED ON JULY 1 BUT WOULD PROBABLY
BE DELAYED FOR ANOTHER THREE WEEKS (I.E., ON OR ABOUT JULY 15)
BECAUSE NEITHER THE PUBLIC PROSECUTOR OR THE LAWYERS FOR THE OTHER
DEFENDENTS (DAVID AND CHANG) WOULD BE READY.

3. DATTA WHEN INFORMED BY DUDHWEWALA OF A PETITION "TWENTY
PAGES LONG" WHICH HARCOS AND FLETCHER WANTED
PRESENTED TO THE COURT IN CONNECTION WITH THEIR UPCOMING HUNGER
STRIKE ON JULY 1 (SEE CALCUTTTA 1400) WAS ADAMANT IN STATING THAT THE
REQUEST FOR AN INVESTIGATION OF ALEX GOSH (INVESTIGATION OFFICER,
SPECIAL BRANCH WHO HAS BEEN IN CHARGE OF THIS CASE ALMOST SINCE
ITS INCEPTION) SHOULD BE DROPPED (SEE CALCUTTTA 1214). DATTA TOLD
DUDHWEWALA THAT A ONE PAGE PETITION WOULD BE MORE USEFUL DRAWING
ATTENTION TO THE LONG DELAY IN THE START OF THE TRIAL AND THEIR
REQUEST FOR WITHDRAWAL OF THE CHARGES AND TO BE DEPORTED.

4. DATTA (SEE CALCUTTA 212 AND 260) COMMENTED THAT THERE
HAS BEEN NO MOVEMENT IN THE CASE SINCE HIS ARRIVAL ON THE SECENE
IN JANUARY 1975 AND NOTED THAT IT WAS EXTREMELY DIFFICULT TO GET
ANYTHING DONE WITHIN THE GOVERNMENT WITHOUT OUTSIDE PRESSURE. HE
ACKNOWLEDGED THAT THE PUBLIC PROSCUTOR WOULD PROBABLY REQUEST
REVOCATION OF THEIR BAIL AND THEIR RETURN TO PRESIDENCY JAIL
IF HARCOS AND FLETCHER WENT ON A HUNGER STRIKE.

5. BOTH DATTA AND DUDHWEWALA WILL SEE HARCOS AND FLETCHER ON
JUNE 25 ABOUT 1630, FOLLOWING CONOFF'S REGULAR VISIT AT 1500.
DUDWEAWALA IS SCHEDULED TO SEE CONOFF ON JUNE 26
TO RECEIVE PAYMENT FOR EXPENSES PREVIOUSLY INCURRED BY HARCOS
AND FLETCHER AND TO RELATE RESULTS OF THEIR JUNE 25 CONVERSATION
WITH THE TWO.
KORN UNQUOTE
SCHNEIDER

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